

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI

LARON DAWN,

Plaintiff,

vs.

**HVM L.L.C., d/b/a EXTENDED STAY
AMERICA,**

Defendant.

Cause No.: 2:14-cv-4104-NKL

**JOINT MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION
SETTLEMENT**

Pursuant to Federal Rule of Civil Procedure 23, Plaintiff Laron Dawn, HVM, L.L.C., and ESA Management, LLC,¹ move the Court to enter an order:

1. Preliminarily approving the Settlement Agreement negotiated by the parties;
2. Conditionally certifying the Disclosure Class set forth in the Settlement

Agreement and defining the Disclosure Class as:

All applicants and/or employees, between March 7, 2012 and June 1, 2014, at the Tiffany Springs Extended Stay America Location, at 9701 N. Shannon Avenue, Kansas City, Missouri, 64153, from whom HVM or ESA Management, LLC obtained written consent, using solely a Candidate Release Authorization, to obtain a Consumer Report and upon whom HVM or ESA Management, LLC subsequently obtained a Consumer Report subject to the consent;

3. Designating the Named Plaintiff, Laron Dawn, as a representative for the Disclosure Class and his attorneys as Class Counsel;
4. Approving the form and manner of the class notice;

¹ As part of the Settlement Agreement, Plaintiff has agreed to file a Second Amended Complaint, naming ESA Management, LLC as an additional defendant.

5. Granting consent for Plaintiff to file a Second Amended Complaint as set forth in the Settlement Agreement;

6. Setting a date for a final fairness hearing; and

7. Pending the outcome of a final fairness hearing, preliminarily enjoining all members of the Disclosure Class from commencing, prosecuting, or maintaining any claim already asserted in and encompassed by this Action.

8. A proposed order will be emailed to the Court Clerk.

WHEREFORE, the parties request the Court grant their Motion for Preliminary Approval of the Class Action Settlement.

/s/ C. Jason Brown

Charles Jason Brown #49952
Jayson A. Watkins #61434
BROWN & ASSOCIATES LLC
301 S. US 169 Highway
Gower, MO 64454
Telephone: 816.505.4529
Facsimile: 816.424.1337
brown@brownandwatkins.com
watkins@brownandwatkins.com

Attorneys for Plaintiff Laron Dawn

/s/ Charles E. Reis

Charles E. Reis, IV #32535
Amy L. Nixon #53233
LITTLER MENDELSON, P.C.
One Metropolitan Square
211 North Broadway, Suite 1500
St. Louis, MO 63102
Telephone: 314.659.2000
Facsimile: 314.659.2099
creis@littler.com
anixon@littler.com

Attorneys for Defendant
HVM L.L.C., d/b/a EXTENDED STAY
AMERICA